

AUSTIN KNUDSEN



STATE OF MONTANA

**STATE OF MONTANA FIRST CIVIL INVESTIGATIVE DEMAND**

**TO: TikTok, Inc.**  
**10100 Venice Boulevard**  
**Suite 401**  
**Culver City, CA 90232**  
*(Sent via Certified Mail)*

RE: Investigation Regarding Potential Violations by TikTok of Montana Unfair Trade Practices and Consumer Protection Act

YOU ARE HEREBY COMMANDED to respond in writing to the demands for information contained herein and to produce or otherwise make available for examination and copying the documents requested herein. This Investigative Demand consists of forty-four (44) pages total.

Your responses and document production must be made in accordance with the enclosed instructions. Your responses also must be made under oath by having one or more authorized persons complete and have notarized the verification form provided herein. Submit your completed responses, verification(s), and document production by hand delivery, mail, or (with prior consent of the Attorney General's Office) email to [OCPIInvestigations@mt.gov](mailto:OCPIInvestigations@mt.gov):

Joshua Pierson  
c/o Montana Attorney General's Office  
215 N Sanders Street  
P.O. Box 201401  
Helena, Montana 59620-1401

to be received on or before 5:00 p.m. MST on March 28, 2022.

This Investigative Demand is made pursuant to Mont. Code Ann. §§ 30-14-113 and 30-14-114, in connection with an investigation under Montana Unfair Trade Practices and Consumer Protection Act (Mont. Code Ann. § 30-14-103 *et seq.*). Your

DEPARTMENT OF JUSTICE

215 North Sanders  
PO Box 201401  
Helena, MT 59620-1401

(406) 444-2026  
[Contactdoj@mt.gov](mailto:Contactdoj@mt.gov)  
[mtdoj.gov](http://mtdoj.gov)

refusal or failure to comply with this Investigative Demand may subject you to the proceedings and penalties provided by law. *See, e.g.*, Mont. Code Ann. § 30-14-134. Fifth Amendment and Montana Constitutional Privileges Against Self-Incrimination. The information you provide in response to this Investigative Demand may be used against you in a civil or criminal proceeding brought by the Attorney General or any other local, state, or federal agency with whom it shares information. The Fifth Amendment to the United States Constitution and Article 2, Section 25 of the Montana Constitution contain privileges that allow you to refuse to provide information that may tend to prove you committed a crime or subject you to a fine, penalty, or forfeiture. If you intend to assert these privileges, do so in your response to this Investigative Demand expressly and in accordance with paragraph 5 of the instructions below.

**Obligation To Preserve.** Do not destroy or otherwise lose from your possession, custody, or control any documents that may be relevant or responsive to the following demands for information or requests to produce documents. Notify the Attorney General's Office immediately of any such loss or destruction.

If you have any questions regarding this Investigative Demand, please contact Joshua Pierson at the below contact information.

DATED this 24th day of February 2022.

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AUSTIN KNUDSEN  
Montana Attorney General

KRISTIN HANSEN  
*Lieutenant General*

DAVID M.S. DEWHIRST  
*Solicitor General*

JOSHUA PIERSON  
*Assistant Attorney General*  
215 North Sanders Street  
P.O. Box 201401  
Helena, Montana 59620-1401  
joshua.pierson@mt.gov  
406-444-9637

**COMPLETE AND HAVE NOTARIZED THE FOLLOWING VERIFICATION FORM. IF A VERIFICATION ONLY APPLIES TO CERTAIN RESPONSES, COMPLETE AND HAVE NOTARIZED ADDITIONAL VERIFICATION(S) SO THAT ALL OF THE RESPONSES ARE SUPPORTED BY A VERIFICATION. SUBMIT THE COMPLETED VERIFICATION(S) WITH YOUR RESPONSES.**

**VERIFICATION OF RESPONSE**

STATE OF \_\_\_\_\_ )  
 ) §:  
COUNTY OF \_\_\_\_\_ )

The undersigned, being first placed under oath, deposes and says the following. He/she makes this verification on behalf of him/herself (if he/she is the person to whom the Investigative Demand is directed) or on behalf of the entity to which the Investigative Demand is directed. If responding on behalf of an entity, he/she is authorized to do so.

He/she has read the Investigative Demand, and [check which is appropriate]

\_\_\_ the responses to all of the demands or

\_\_\_ the responses to demand(s) \_\_\_\_\_ (list the number(s) of the demands to which this verification applies and submit additional verification(s) so that all responses are supported by a verification)

and the facts and other matters set forth in those responses (other than objections, claims of privilege, and purely legal contentions) are true, accurate, and complete to the best of his/her knowledge and belief.

Signature of Verifying Party: \_\_\_\_\_

Name of Verifying Party: \_\_\_\_\_

Title of Verifying Party (if responding for an entity): \_\_\_\_\_

Subscribed and sworn/affirmed before me this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Notary Public

## UNLAWFUL CONDUCT

The purpose of this Investigative Demand is to gain information regarding whether TikTok has violated Montana law, including the Montana Unfair Trade Practices and Consumer Protection Act of 1973, Mont. Code Ann. § 30-14-101, *et seq*, by intentionally distributing a dangerous product without adequate warning to consumers and by publicly misrepresenting the dangers its product poses to consumers.

The public record shows that TikTok’s platform (“TikTok”) is dangerous to users. In particular:

- TikTok allows children who state their age to be as young as 13 to make profiles on its platform, but the platform does not distinguish between these children and adults when promoting content to users through its algorithm.<sup>1</sup>
- TikTok serves dangerous content to children, including “endless spools of content about sex and drugs,” “videos about drug use, references to cocaine and meth addiction, and promotional videos for online sales of drug products and paraphernalia,” “videos from accounts recommending paid pornography sites and sex shops,” and posts that “encourage[] eating disorders and glorif[y] alcohol.”<sup>2</sup>
- TikTok’s platform allows adults to solicit nude images from minors.<sup>3</sup>
- TikTok’s algorithm pushes users into increasingly extreme and depressing content, in an effort to entice users to spend more time on the platform.<sup>4</sup>
- Despite being alerted to the dangers of pro-anorexia and pro-eating disorder hashtags on the platform, Tiktok has permitted such hashtags to remain searchable. When users have created secondary hashtags as a workaround for

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<sup>1</sup> Rob Barry, et al., *How TikTok Serves Up Sex and Drug Videos to Minors*, WALL ST. J., (Sept. 8, 2021), available at <https://on.wsj.com/3oFpPHU>. (A “spokeswoman said the app doesn’t differentiate between videos it serves to adults and minors.”).

<sup>2</sup> *Id.* (For example, a “bot account registered for a teenage user that fell into the world of role-playing and other sexually oriented content ... experienced one of the most extreme rabbit holes,” including videos “describe[ing] how to tie knots for sex, recover from violent sex acts, and discuss[ing] fantasies about rape.” “At one point more than 90% of the account’s video feed was about bondage and sex.”).

<sup>3</sup> Joseph Cox, *TikTok, the App Super Popular with Kids, Has a Nudes Problem*, VICE (Dec. 6, 2018) available at <https://bit.ly/3BdcXO3>.

<sup>4</sup> *Inside TikTok’s Highly Secretive Algorithm*, WALL ST. J. (July 21, 2021), available at <https://on.wsj.com/3HOQ7z6>.

banned hashtags, TikTok has promoted them through features like autocomplete, which guides users to these dangerous substitutes.<sup>5</sup>

- Because of the way TikTok’s algorithm works, users who seek one type of content can easily and quickly be pushed toward more dangerous content; for example, users seeking diet content received “full-blown eating disorder promotion in less than 24 hours” from TikTok.<sup>6</sup>
- TikTok allows dozens of beauty filters that let users change their skin, face shape, body shape, and more, and contributes to an “impossible standard of beauty,” particularly for young girls. Competitor platforms Snapchat and Instagram do not allow filters that promote or mimic plastic surgery.<sup>7</sup>
- TikTok has allegedly instructed moderators to suppress posts by undesirable users, including those who are deemed too poor or disabled for the platform.<sup>8</sup>

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<sup>5</sup> Kari Paul, *‘It Spreads Like a Disease’: How Pro-Eating-Disorder Videos Reach Teens on TikTok*, THE GUARDIAN (Oct. 16, 2021), available at <https://bit.ly/3LimTKS>. (“More than a month” after being identified to TikTok by an advocacy group, pro-eating disorder hashtags “were still active on TikTok.” And “many users appeared to intentionally misspell popular hashtags promoting unhealthy eating after they are banned to get around the new regulations,” but “TikTok’s own search feature suggested some of the popular hashtags used to get around its censorship, prompting the user to search ‘thinspao’ if they simply type ‘thin’ into the search bar.”).

<sup>6</sup> *Id.* (“Efforts by the Guardian to engage with diet content led to full-blown eating disorder promotion in less than 24 hours. The popular hashtag #WhatIEatInADay, for example, soon led to #ketodiet videos—then more restrictive diets and eventually overtly unhealthy hashtags such as #Iwillbeskinny and #thinspoa.”).

<sup>7</sup> *Id.* See also Abby Ohlheiser, *TikTok Changed the Shape of Some People’s Faces Without Asking*, MIT TECH. REV. (June 10, 2021), available at <https://bit.ly/3oDUx4c>.

<sup>8</sup> Sam Biddle, *et al.*, *Invisible Censorship*, THE INTERCEPT (Mar. 16, 2020), available at <https://bit.ly/3LsuRB6>. (“Sources indicated that both sets of policies were in use through at least late 2019.”).

- On numerous occasions, young TikTok users have been killed or severely injured while replicating dangerous challenges and other trends they learned about from TikTok.<sup>9</sup>
- Dangerous trends and threats on TikTok have caused vandalism in schools and have forced Montana schools to increase security and even close to avoid the risk of harm to students.<sup>10</sup>

Despite these facts, TikTok communicates to the public that its platform is safe, including for children:

- In Apple’s App Store, TikTok self-selects its app rating as “12+,” indicating that it is appropriate for users twelve years old and older.<sup>11</sup> Similarly, TikTok rates itself “Teen” in the Google Play and Microsoft stores.<sup>12</sup>
- TikTok’s *Guardian’s Guide*, designed for child users’ parents and guardians, describes TikTok this way:

Offering a safe and supportive environment is our top priority. We believe that feeling safe is essential to helping people feel comfortable with expressing themselves openly and creatively. We remove content, including video, audio, livestream, images, comments and text that violate our Community Guidelines, and accounts involved in severe or repeated violations. Under certain circumstances, we will go one step further and report the accounts to relevant legal authorities to keep our community safe. Our

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<sup>9</sup> Letter, Senator Blumenthal, January 10, 2022, *available at* [110.22tiktokwhoosh-bottleexperiment.pdf](https://www.senate.gov/imo/media/doc/letter_to_senator_blumenthal_20220110) (senate.gov); *see also, e.g.*, Kerry Breen, *The ‘Choking Game’ Is Now the ‘Blackout Challenge’ on TikTok, and a Boy Has Died*,” TODAY (April 15, 2021), *available at* <https://on.today.com/3Lpr4V9>; Jack Beresford, *9-Year-Old Boy Dies While Attempting TikTok Challenge*, NEWSWEEK (Oct. 28, 2021), *available at* <https://bit.ly/3rDQ3wm>.

<sup>10</sup> Riley Nagel, *Disturbing Social Media Trend Encourages Kids to Vandalize Their Schools*, KULR8 (Sept. 21, 2021), *available at* <https://bit.ly/3JjVlD0>; Perry Backus, *Bitterroot School’s Law Enforcement Respond to TikTok School Threat Challenge*, MONTANA STANDARD (Dec. 16, 2021) *available at* <https://bit.ly/3GKs4Qe>.

<sup>11</sup> *See* TikTok in the Apple’s App Store, *available at* <https://apple.co/3GIAZl8>.

<sup>12</sup> *See* TikTok in the Google Play store, *available at* <https://bit.ly/3HGyocQ>; TikTok in the Microsoft Store, *available at* <https://bit.ly/3Bcg2xW>.

Community Guidelines apply to everyone, and to everything shared on TikTok.<sup>13</sup>

- The Guardians Guide also contains a video titled “TikTok Basics,” which describes TikTok’s “For You Feed” as a “discovery stream” where users “can enjoy TikTok videos that reflect your interests” “based on [TikTok’s] recommendation system.” The video supplies graphics of animals, coffee, nature, and music and makes no mention to parents and guardians that child users could be served dangerous content through the “For You Feed” or other TikTok features.<sup>14</sup>
- TikTok’s Guardian’s Guide also provides five tips for parents, which TikTok says are sourced from teens themselves. One of the five, titled “Trust me,” encourages parents to give their teens more autonomy online, telling parents:

Teens get that trust has to be earned, and they expect adult oversight—especially for younger teens. Just as in the “real” world, teens feel greater autonomy is appropriate as they get older. Every family is different and the pace at which a teen moves toward independent use of technology will vary, but if your teen knows how to navigate platforms safely and they come to you when things go wrong, that’s a great foundation for trust.<sup>15</sup>

- TikTok’s “Youth Portal” welcomes child users to TikTok but without mentioning the dangers found on the platform. The “Youth Portal” describes TikTok as “a platform where people can create and share authentically, discover the world around them, and connect with others across the globe.” It says TikTok is “committed to keeping our global community safe.” Even if a child user clicks on the link to the “Safety Center,” the user will not receive a warning about the dangerous content that is available on TikTok.<sup>16</sup>
- TikTok says it “has taken industry-first steps to promote a safe and age-appropriate experience for teens.”<sup>17</sup>

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<sup>13</sup> *Guardian’s Guide*, TIKTOK, available at <https://www.tiktok.com/safety/en/guardians-guide/>.

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> Youth Portal, TIKTOK, available at <https://bit.ly/33duOYJ>.

<sup>17</sup> Rob Barry, et al., *How TikTok Serves Up Sex and Drug Videos to Minors*, WALL ST. J., (Sept. 8, 2021), available at <https://on.wsj.com/3oFpPHU>.

- TikTok has said that it does “not allow content that encourages or replicates dangerous challenges that might lead to injury. In fact, it’s a violation of our Community Guidelines and we will continue to remove this type of content from our platform.”<sup>18</sup>
- TikTok’s Community Guidelines claim that TikTok “do[es] not allow nudity, pornography, or sexually explicit content on our platform,” prohibits “[c]ontent that depicts or promotes drugs, drug consumption, or encourages others to make, use, or trade drugs or other controlled substances,” prohibits “[c]ontent that promotes eating habits that are likely to cause adverse health outcomes,” does not allow “[c]ontent that depicts a sexual fetish involving a minor,” and does not allow content about “[d]angerous games, dares, or stunts that might lead to injury.”<sup>19</sup>

The above is substantial evidence of past and ongoing violations of the Montana Unfair Trade Practices and Consumer Protection Act of 1973.

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<sup>18</sup> Allyson Chiu, *The TikTok ‘Skull-Breaker Challenge’ Landed a Teen in the Hospital. Two Minors Face Criminal Charges*, WASH. POST (Mar. 4, 2020), available at <https://wapo.st/34NzrsQ> (“A spokesperson for TikTok reiterated that the platform’s policy on potentially harmful content ... stressing that people who attempt stunts such as the ‘skull-breaker challenge’ won’t be rewarded with viral fame. ‘It’s not going to make you TikTok-famous, so don’t do it,’ the spokesperson said, later adding: ‘It’s not fun. It’s not funny.’”).

<sup>19</sup> Community Guidelines, TIKTOK, available at <https://bit.ly/3rI19Ac>.

## INSTRUCTIONS

1. Rules of construction. These instructions and the below demands for information and requests to produce documents should be construed to seek the broadest amount of information from respondent. Consistent with this, and without limiting any other terms used herein:

The terms “all,” “and,” “and/or,” “any,” “any and all,” “each,” “each and every,” “every,” and “or” shall be construed to seek the broadest possible information.

The term “including” means “including but not limited to.”

The terms “relating” and “relating to” mean reflecting, referring to, relating to, regarding, discussing, concerning, constituting, mentioning, pertaining to, alluding to, or associated with in any way.

The singular of each word includes the plural and vice versa; the root word and all derivations (“ing,” “ed,” etc.) shall be construed to include each other; and the masculine, feminine, and neuter (“his,” “her,” “it,” etc.) are interchangeable so as to seek the broadest possible information.

Verb tense and number should be construed to seek the broadest possible information.

The scope of each demand or request does not limit any others, but respondent may, if otherwise consistent with these instructions, specifically reference and incorporate the response to another demand or request to avoid duplication.

2. Definitions. As used in these instructions and the below demands for information and requests to produce documents, unless context requires otherwise:

“And” and “Or” are terms of inclusion and not of exclusion and shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of this Investigative Demand any document or information that might otherwise be construed to be outside its scope.

“Affiliate(d)” means an entity that is related to another entity (e.g., a subsidiary, parent, or sibling corporation) by shareholdings or other means of control. “Agent” means an individual, such as a representative, who is authorized to act for or in place of another.

“Algorithm” means any computer-assisted process by which content is retrieved, indexed, catalogued, classified, sorted, flagged, ranked, evaluated, organized, promoted, targeted, elevated, demoted, upranked, downranked, screened, or selected for display to users.

“Autocomplete” means the text-prediction feature of TikTok’s search bar.

“Any” and “All” shall mean each and every.

“Communication” means any and all manner or means of disclosure, transfer, exchange or transmittal of information, whether oral or reduced to writing, whether handwritten, typewritten, recorded, or produced by electronic data processing, irrespective of how conveyed (e.g., telephone, telegram, telegraph, e-mail, text message, chat, United States mail, private mail personal delivery or courier service, facsimile transmittal, face to face contact, video conferencing, or otherwise), including but not limited to: inquiries, discussions, conversations, negotiations, agreements, understandings, meetings, telephone conversations, letters, notes, telegrams, advertisements, or other forms of verbal intercourse, whether oral or written.

“Content moderation” means any action to remove content and/or content producers from a product, to reduce the visibility of content and/or content producers on a product, to raise the visibility of content and/or content producers on a product, to apply screens or pop-ups or warnings to certain content or content producers, or to monetarily reward certain content and/or content producers on a product. “Content moderation” also includes any action to recommend or suggest content to users.

“Correspondence” means all letters, electronic mail, telegrams, notices, messages or other written Communications or memoranda, or other records of conversations, meetings, conference or other oral Communications.

“Device ID” is any identifier or any system used to identify a particular users’ internet-enabled device. The term “Device ID” applies equally to an identifier set by an internet-enabled device or an identifier created and assigned by TikTok or an identifier created and assigned or retrieved in any other way.

“Document(s)” is used in the broadest sense of the word under Montana Rules of Civil Procedure, Rule 34, and includes all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including but not limited to, papers, letters, memoranda, Correspondence, electronic Communications (existing in hard copy and/or in electronic storage), invoices, contracts, agreements, manuals, publications, photographs of all types, phonic or visual reproductions of oral statements, conversations, and including but not limited to, any manual, book, pamphlet, periodical, letter, report, memorandum, notation, or message, and all mechanical, magnetic, and electronic records or recordings of any kind, together with the codes and/or

programming instructions and other materials necessary to understand and use such systems.

“Employee” means any current or former employee of TikTok or any parent or subsidiary, whether full-time or part-time, regardless of compensation. “Employee” includes any type of employer-employee relationship, including but not limited to independent contractors, and those in the employ of or under contract with entities with whom TikTok contracts for services.

“For You Feed” means a user’s main TikTok landing page, where users are presented with a stream of videos curated by TikTok, and it includes any content appearing there. “For You Feed” further includes any content or meaning commonly ascribed to this word by TikTok.

“Manually intervene” and “manually alter” mean any employee-initiated adjustment of any algorithm to alter the output visible to the user, including but not limited to altering search results, search predictions, content recommendations, advertisement targeting, data collection, and content presented on the For You Feed.

“TikTok” refers to the TikTok social media platform, including in any testing or beta phases or iterations, and to the incorporated business entity TikTok Inc., and any and all parents and subsidiaries of TikTok Inc., including ByteDance,<sup>20</sup> and any prior corporate status, and any present or former directors, officers, agents, partners, employees, representatives, attorneys, or any other persons (including any of TikTok Inc.’s affiliates) acting on behalf of, in affiliation with, under the control of, for the benefit of, at the request of, or in concert with TikTok Inc. at any time relevant to the information sought in a demand or request for production.

“Officer” means a person who holds an office of trust, authority, or command, such as a person elected or appointed by the board of directors to manage the daily operations of a corporation, such as a CEO, president, secretary, or treasurer.

“Product” means any broadly available consumer product, offered by TikTok or any of its parents, subsidiaries, or affiliates, in which users may search, post

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<sup>20</sup> Salvador Rodriguez, *TikTok Insiders Say Social Media Company Is Tightly Controlled by Chinese Parent ByteDance*, CNBC (June 25, 2021), available at <https://cnb.cx/3JdxGnG> (“A former TikTok recruiter” says that “Beijing-based ByteDance executives were heavily involved in TikTok’s decision-making,” and that ByteDance “has access to American user data”).

content, and/or view content, including (but not limited to) the TikTok platform.

Any word not defined herein shall be given its ordinary meaning.

3. Instructions for responding to demands for information.
  - a. For each demand contained herein, separately provide your response in writing, under oath, and supported by a completed verification. In responding, divulge all responsive information in your possession, custody, or control. Leave no answer blank: if after exercising due diligence, you cannot fully answer a demand, state the answer to the fullest extent possible and also state why you are unable to answer it more fully.
  - b. When a demand for information asks you to describe or explain any of your practices or any function of your products, describe and explain not only current practices and functions but also all relevant past practices and functions.
  - c. If you subsequently locate or obtain any responsive information not provided in your initial answers, promptly notify the Attorney General's Office of this and provide supplemental, verified answers containing the additional information.
4. Instructions for responding to requests for producing and producing documents.
  - a. For each request for production, provide a response explaining what you are producing, withholding, and/or objecting to, and identify the specific Bates range within your production where the responsive documents to the request are located. Do not leave any response blank—if there are no documents responsive to a request, state this in your response.
  - b. Produce all responsive documents in your possession, custody, or control, including documents held by any person from whom you can request documents. This also includes all drafts and other versions of responsive documents, unless a request specifies otherwise. If you cannot produce all such responsive documents, expressly state this, explain what steps you took to collect responsive documents, and produce what documents you can.
  - c. If you subsequently locate or obtain any responsive documents not provided in your initial responses, promptly notify the Attorney General's office of this and provide a supplemental production of the additional documents.

d. Form of Production

- i. In lieu of producing originals, electronic copies of documents may be provided, so long as such reproductions/copies are accurate, complete, and legible to the same degree as the originals, and the originals from which the reproductions/copies are made are retained by their custodian(s) until the final disposition of this matter.
- ii. Please produce all documents in the formant specified at the end of this Investigative Demand in Appendices I and II.

5. Objecting and/or claiming privilege.

- a. If you object (on the basis of privilege or otherwise) to responding to all or some of a demand for information or request for production, or to producing all responsive documents, then state all objection(s) and their specific bases. Claims of privilege must be made in accordance with the below instructions. If only a portion of a demand or request is objected to, then also answer the portion of the demand or request to which an objection has not been made. For example, if respondent objects to any demand or request on the grounds of overbreadth, burdensomeness, vagueness, or relevance, state with specificity the manner in which the demand or request is objectionable and fully respond to the demand or request as narrowed to conform to the objection.
- b. When information is withheld from disclosure on a claim that it is subject to privilege or protection as trial-preparation materials (collectively, “privileged”), the claim shall be made expressly and shall be supported by a description of the nature of each withheld document that is sufficient to enable other parties to contest the claim. This shall include: (a) the name of each author, sender, preparer, or other initiator of the communication and his or her business or legal title or position; (b) the name of each actual or intended recipient or addressee of the communication and his or her business or legal title or position; (c) the date or approximate date of the communication; (d) the subject matter of the requested information or communication; and (e) the nature of any privilege asserted and the basis upon which you assert it.
- c. If you refuse to provide information in response to any of the attached demands or requests because it tends to prove you committed a crime, or may subject you to fine, penalty, or forfeiture, you should affirmatively state, in every such instance, that is the reason for your refusal to provide information.

- d. If a privilege or other protection can be protected by redacting rather than withholding a document, do not withhold the document entirely but rather redact and produce the redacted copy of the document. Provide information sufficient to justify the redaction, consistent with 5(b), *supra*.
  - e. Nothing herein constitutes a waiver by the Attorney General's Office of any argument that a particular privilege does not apply or that responsive documents or information must otherwise be turned over.
- 6.** Except where otherwise noted, all interrogatories and document requests seek information for February 24, 2022, to the present.

## INTERROGATORIES

**DEMAND FOR INFORMATION NO. 1:** Explain in detail the basis for the “12+” rating self-assigned to TikTok in Apple’s App Store and the “T” for “Teen” rating self-assigned to TikTok in the Google Play store and Microsoft Store.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 2:** Explain in what ways TikTok “has taken industry-first steps to promote a safe and age-appropriate experience for teens.”<sup>21</sup>

**ANSWER:**

**DEMAND FOR INFORMATION NO. 3:** Explain whether, and if so, how, TikTok “prohibits nudity and sexual solicitation and removes accounts that redirect users to sexual content or services, including on OnlyFans.”<sup>22</sup>

**ANSWER:**

**DEMAND FOR INFORMATION NO. 4:** Explain how TikTok currently identifies and removes content that violates its Community Guidelines.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 5:** Explain how TikTok has previously identified and removed content that violates its Community Guidelines, if at all, since the platform’s launch, and provide the date of and reason for any changes made to the Community Guidelines.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 6:** Provide a list of all hashtags TikTok has banned or restricted and the date on which each hashtag was banned or restricted.

**ANSWER:**

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<sup>21</sup> Rob Barry, et al., *How TikTok Serves Up Sex and Drug Videos to Minors*, WALL ST. J., (Sept. 8, 2021), available at <https://on.wsj.com/3oFpPHU>.

<sup>22</sup> *Id.*

**DEMAND FOR INFORMATION NO. 7:** Explain how TikTok “work[s] diligently to identify and remove content” that “encourages, promotes, or glorifies dangerous behavior that might lead to injury,” and identify all instances in which TikTok has identified and removed such content.<sup>23</sup>

**ANSWER:**

**DEMAND FOR INFORMATION NO. 8:** Explain how TikTok acts to disallow “nudity, pornography, or sexually explicit content on [its] platform.”<sup>24</sup>

**ANSWER:**

**DEMAND FOR INFORMATION NO. 9:** Explain how TikTok acts to disallow “[c]ontent that promotes eating habits that are likely to cause adverse health outcomes.”<sup>25</sup>

**ANSWER:**

**DEMAND FOR INFORMATION NO. 10:** Explain how TikTok acts to disallow “[c]ontent that depicts a sexual fetish involving a minor.”<sup>26</sup>

**ANSWER:**

**DEMAND FOR INFORMATION NO. 11:** Explain what warnings TikTok supplies parents and guardians about dangerous content on TikTok, including how TikTok ensures that these warnings reach parents and guardians of child users of TikTok.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 12:** Explain in detail TikTok’s decisions regarding the creation, design, and implementation of a new algorithm in July

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<sup>23</sup> Jack Beresford, *9-Year-Old Boy Dies While Attempting TikTok Challenge*, NEWSWEEK (Oct. 28, 2021), available at <https://bit.ly/3rDQ3wm>.

<sup>24</sup> Community Guidelines, TIKTOK, available at <https://bit.ly/3rI19Ac>.

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

2021, including what changed about the algorithm and the reasons for the changes.<sup>27</sup>

**ANSWER:**

**DEMAND FOR INFORMATION NO. 13:** Explain how, if at all, a user's access to content and other capabilities on the TikTok platform is restricted if the user registers as under the age of 21.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 14:** Explain how, if at all, a user's access to content and other capabilities on the TikTok platform is restricted if the user registers as under the age of 16.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 15:** Describe in detail what information TikTok collects from users when they create a TikTok account, including any methods of age verification.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 16:** Describe in detail any technology TikTok has developed, has used, or is using that would allow TikTok to estimate users' actual ages, including users under age 13 or under age 16 or under age 21.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 17:** Describe in detail whether any technology covered by the previous question (Demand for Information 16) has been used or is currently in use on the TikTok platform.

**ANSWER:**

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<sup>27</sup> See Eric Han, *Advancing Our Approach to User Safety*, TIKTOK (July 9, 2021), available at <https://bit.ly/3gFeEdI>.

**DEMAND FOR INFORMATION NO. 18:** Describe in detail any knowledge TikTok possesses about the efficacy of any technology covered by the previous two questions (Demand for Information 16 and 17) in determining the actual age of an individual user, or any knowledge TikTok possesses about the likelihood that users under 13 have TikTok accounts and the number of these underage users.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 19:** Describe in detail any research conducted by or commissioned by or otherwise known to TikTok about any correlation between use of the TikTok platform and suicidal ideation and/or suicide among children under age 18.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 20:** Describe in detail any research conducted by or commissioned by or otherwise known to TikTok about any correlation between use of the TikTok platform and pornography addiction among children under age 18.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 21:** Describe in detail any research conducted by or commissioned by or otherwise known to TikTok about any correlation between use of the TikTok platform and eating disorders among children under age 18.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 22:** Explain in detail what user information is collected through the TikTok app or platform as a result of the user's use of the app or platform.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 23:** Explain what, if any, information is collected through the TikTok app or platform about comments, posts, direct messages or other activities that a user drafts but chooses not to send or publish, including any

metadata collected about those activities or the collection of the drafted material directly.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 24:** To the extent TikTok collects any information pursuant to the above question (Demand for Information No. 23), explain in detail whether, and if so, how, users are informed about this data collection and give their consent.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 25:** Explain whether and, if so, to what extent, TikTok collects data from or conducts research on child users under age 18.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 26:** Explain whether and, if so, how, TikTok seeks parental consent before collecting data or conducting research on children under age 18.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 27:** Explain in detail any strategic intention or decision by TikTok to attract child users under age 18 to TikTok.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 28:** Explain in detail any employee directives, including any compensation awards, that are linked to increasing the number of child users under age 18 who use the TikTok platform or register for TikTok accounts.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 29:** Explain in detail any employee directives, including any compensation awards, that are linked to growing or maximizing the amount of engagement between child users under age 18 and the TikTok platform.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 30:** Explain in detail TikTok’s understanding of parental involvement in, knowledge of, and/or control of child users’ (under age 18) use of the TikTok platform. Include information about available parental controls and the percentage of accounts for users under age 18 for which parental controls are enabled or in use.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 31:** Explain in detail whether, and if so, to what extent, TikTok allows advertisers to target child users under age 18, including how any such targeting occurs.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 32:** Explain in detail whether TikTok allows advertisers to market mental health self-diagnosis tools or to promote mental health self-diagnosis to users, including but not limited to the advertisers Cerebral and Done, which purport to offer online tools for diagnosing and coping with attention deficit hyperactivity disorder (ADHD).<sup>28</sup> Include the dates on which any relevant advertisements appeared to TikTok users, the number of user impressions made, and the number of user impressions made to users under age 18.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 33:** Explain in detail any knowledge TikTok possesses about users, and especially child users, relating to the platform in a way that could be described as “addictive,” including through “rabbit-holing,” meaning the practice of using the platform for long periods of time without breaks, including but not limited to viewing content of a single type for long periods.

**ANSWER:**

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<sup>28</sup> Olivia Long, *TikTok Is Enabling Predatory ADHD Advertisers to Target Young Users*, MEDIA MATTERS, available at <https://www.mediamatters.org/tiktok/tiktok-enabling-predatory-adhd-advertisers-target-young-users>.

**DEMAND FOR INFORMATION NO. 34:** Describe in detail any knowledge, statistical or otherwise, possessed by TikTok that suggests that TikTok exacerbates mental health problems in already-vulnerable populations, including but not limited to individuals already suffering from depression, eating disorders, or suicidal ideation.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 35:** Describe in detail any knowledge, statistical or otherwise, or research possessed by or known to TikTok that suggests that TikTok produces an addictive or addiction-like response in some or all users, including but not limited to the effects of TikTok’s platform on users’ attention span or dopamine responses.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 36:** Describe in detail any knowledge, statistical or otherwise, or research possessed by or known to TikTok that relates to the relationship between video length and user engagement, including but not limited to the length of video that maximizes user engagement on the TikTok platform.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 37:** Describe in detail any knowledge TikTok possesses about the way some subsets of the wider population respond to TikTok usage, including but not limited to statistical subsets of the wider population of TikTok users whose use correlates to greater experience of mental health problems even if statistics about the wider population of TikTok users would not suggest such a correlation.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 38:** Describe in detail how the TikTok algorithm chooses what content to promote in a user’s “For You Feed.”

**ANSWER:**

**DEMAND FOR INFORMATION NO. 39:** State whether the TikTok algorithm chooses what content to promote in a user’s “For You Feed” differently for adult users as compared to users under age 18.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 40:** Describe in detail how the TikTok algorithm chooses what search results to suggest or autopopulate as part of the TikTok platform's Autocomplete feature.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 41:** State whether the TikTok algorithm chooses what search results to suggest or autopopulate as part of the TikTok platform's Autocomplete feature differently for adult users as compared to users under age 18.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 42:** Explain in detail whether, and if so, to what extent, any employee of TikTok may manually intervene or manually alter any search results or the promotion of any content (advertising or otherwise) in any aspect of a user's experience with the TikTok platform.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 43:** Explain in detail the priorities for which the TikTok algorithm is designed as relates to search results or the promotion of any content (advertising or otherwise) in a user's "For You Feed," or any other aspect of the platform. For example, explain whether the TikTok algorithm is designed to maximize engagement (and if so, what types of engagement), time spent, quality of engagement, and/or any other priority of TikTok.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 44:** For any priority outlined in the question above (Demand for Information No. 43) please explain any research that supports the value of that priority for TikTok from a business perspective or otherwise.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 45:** Explain in detail whether all TikTok accounts are subject to the same Community Guidelines and content moderation or whether some TikTok accounts or users are exempt from some or all of the Community Guidelines or any particular form of content moderation.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 46:** If not all TikTok accounts are subject to the same Community Guidelines and content moderation (see above, Demand for Information No. 45), then explain in detail which TikTok accounts or users are exempt from some or all of the Community Guidelines or any particular form of content moderation and how such TikTok accounts or users are selected for such specialized treatment.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 47:** List all, if any, third-party fact checkers with whom TikTok contracts for fact-checking services on the TikTok platform.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 48:** Explain in detail whether and, if so, how and to what extent, TikTok collects, relies on, or uses a user's geographic details (*e.g.*, user location, user's registration address, etc.), including (but not limited to) whether and if so, how and to what extent, TikTok collects and relies on a user's geographic location in relation to that of other users (for example, recommending content to a user based on content another user has viewed after the two users spend time in the same geographic location).

**ANSWER:**

**DEMAND FOR INFORMATION NO. 49:** Explain in detail what information TikTok currently collects or has collected in the past related to a user's "app and file names," "keystroke patterns or rhythms," "audio settings and connected audio devices."<sup>29</sup>

**ANSWER:**

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<sup>29</sup> Privacy Policy, TIKTOK, *available at* <https://bit.ly/3LpLcGH>.

**DEMAND FOR INFORMATION NO. 50:** Describe in detail whether and how TikTok “associate[s] you [the user] with information collected from devices other than those you use to log-in to the Platform.”<sup>30</sup>

**ANSWER:**

**DEMAND FOR INFORMATION NO. 51:** List the names of any and all employees who have been responsible for or have participated in any efforts to drive user engagement on the TikTok platform, including for users under age 18.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 52:** State the number of TikTok users who have more than one TikTok account.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 53:** Estimate the number of secondary TikTok accounts held by child users (under age 18).

**ANSWER:**

**DEMAND FOR INFORMATION NO. 54:** Estimate the number of secondary TikTok accounts held by child users (under age 18) in Montana.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 55:** Explain how advertisers purchase advertising space or views on TikTok.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 56:** Explain whether advertisers’ purchases of advertising space or views on TikTok take account of the existence of multiple accounts for some users, and if so, how.

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<sup>30</sup> *Id.*

**ANSWER:**

**DEMAND FOR INFORMATION NO. 57:** List and describe the filters available on TikTok now or at any time in the past that might reasonably be considered “beauty” filters meant to enhance a person’s features and include photos with and without each filter’s overlay.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 58:** State whether any “beauty” filters encompassed in the previous demand (Demand for Information No. 57) have been made equally available to users under age 18 as to adult users, or if any such “beauty” filters have been restricted for users under age 18; and if such “beauty filters” have been restricted at any time, the dates of any such restrictions.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 59:** State whether TikTok has ever instructed moderators or other employees to suppress posts from users considered “too ugly, poor, or disabled for the platform.”<sup>31</sup> .

**ANSWER:**

**DEMAND FOR INFORMATION NO. 60:** State whether any TikTok entities incorporated in the United States share user data or other data about platform usage with entities in the TikTok Inc. corporate family that are incorporated or located outside of the United States, including in China.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 61:** Describe in detail any policies or procedures according to which any TikTok entities incorporated in the United States share user data or other data about platform usage with entities in the TikTok Inc. corporate family that are incorporated or located outside of the United States, including in China.

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<sup>31</sup> Sam Biddle, *et al.*, *Invisible Censorship*, THE INTERCEPT (Mar. 16, 2020), available at <https://bit.ly/3LsuRB6>.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 62:** List chronologically and describe any restrictions TikTok has imposed on the hashtags #thinspiration, #thinspo, #proanorexia, #ana, #thinspoooo, #proana, #bulimia, #anaismyfriend, #ednos, #bodycheck, and #bodychecking including for each hashtag the date range for each applicable restriction and the nature of that restriction (e.g., search results hidden, warning label offered, etc.).

**ANSWER:**

**DEMAND FOR INFORMATION NO. 63:** For all of the hashtags listed in the preceding Demand for Information No. 62, state whether TikTok's Autocomplete feature has ever suggested any of the listed hashtags to users when those users were typing in TikTok's search bar, and if so, state the date ranges for which each hashtag was eligible for Autocomplete.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 64:** List chronologically and describe any restrictions TikTok has imposed on the hashtags #selfharm, #self-harm, #selfharn, #self-harn, #selfharmmm, #selfinjury, #selfinjuryyy, #selfinjuryyy, #suicide, #depression, #MySecretFamily, #MySe-cretFamily, #blithe, and #ehitlb, including the date range for each applicable restriction and the nature of that restriction (e.g., search results hidden, warning label offered, etc.).

**ANSWER:**

**DEMAND FOR INFORMATION NO. 65:** For all of the hashtags listed in the preceding Demand for Information No. 64, state whether TikTok's Autocomplete feature has ever suggested any of the listed hashtags to users when those users were typing in TikTok's search bar, and if so, state the date ranges for which each hashtag was eligible for Autocomplete.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 66:** List chronologically and describe any restrictions TikTok has imposed on the hashtags #skullbreakers, #skullbreakerchallenge, #deviouslicks, #deviouslickschallenge, #dryscooping, #dryscoopingchallenge,

#benadryl, #bendarylchallenge, #blackout, #blackoutchallenge, #chachaslide, #chachaslidechallenge, #lugnut, and #lugnutchallenge, and for any variations of these hashtags, including the date range for each applicable restriction and the nature of that restriction (e.g., search results hidden, warning label offered, etc.).

**ANSWER:**

**DEMAND FOR INFORMATION NO. 67:** For all of the hashtags listed in the preceding Demand for Information No. 66, state whether TikTok’s Autocomplete feature has ever suggested any of the listed hashtags to users when those users were typing in TikTok’s search bar, and if so, state the date ranges for which each hashtag was eligible for Autocomplete.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 68:** State whether Beijing ByteDance Technology is an “affiliate of [TikTok’s] corporate group” as that term is defined in TikTok’s privacy policy.<sup>32</sup>

**ANSWER:**

**DEMAND FOR INFORMATION NO. 69:** State whether TikTok’s parent company, ByteDance Ltd., has ever communicated with TikTok regarding the substance of content displayed on TikTok.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 70:** State whether any TikTok employee has ever communicated with an official or employee of either the Chinese government or the Chinese Communist Party.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 71:** State whether any person in China may access any data that is generated by use of TikTok within the United States. If so, state what data is accessible within China.

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<sup>32</sup> Privacy Policy, TIKTOK, *available at* <https://bit.ly/3LpLcGH>.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 72:** State whether information about any TikTok user has been offered to or provided to any person in China, whether or not that person is an employee of TikTok Inc.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 73:** Describe any and all procedures that relate to TikTok's response, if any, to border cartels using TikTok to recruit teens to drive migrants into the United States.<sup>33</sup>

**ANSWER:**

**DEMAND FOR INFORMATION NO. 74:** List all third-party trackers affiliated with TikTok and describe in detail the information made accessible to each one through TikTok.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 75:** State whether the TikTok app complies with all policies set out by the Apple App Store, Google Play Store, and Microsoft Store.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 76:** State whether, once downloaded on any device by a user, the TikTok app continues to comply at all times with all policies set out by the Apple App Store, Google Play Store, and Microsoft Store. If not, describe in detail any ways in which the TikTok app has been or can be modified after downloading in a way that would violate the policies of the Apple App Store, Google Play Store, or Microsoft Store if that modification had been included in the originally downloaded version of the TikTok app.

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<sup>33</sup> Adam Shaw & Aishah Hasnie, *Border Cartels Using TikTok, Social Media to Recruit US Teens to Smuggle Migrants*, N. Y. POST (April 21, 2021), available at <https://bit.ly/35Uqcrq>.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 77:** Describe each and every type of Device ID TikTok uses or has used in relation to any user or internet-enabled device, for any purpose.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 78:** State whether TikTok allows any third party to access any Device ID(s) or otherwise shares Device ID(s) with any third party. If so, for each such third party state: the name of the third party, the type of Device ID made available to that third party, the date range for which the type of Device ID was made available to that third party (including whether the availability is ongoing), and the approximate number of unique Device IDs made available to that third party.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 79:** State specifically whether any Chinese entity receives Device IDs from TikTok or can access them through the TikTok app.

**ANSWER:**

**DEMAND FOR INFORMATION NO. 80:** State whether TikTok has restricted any hashtags, removed any content, or otherwise restricted any user activity because that activity commented on or otherwise related to political unrests or protests in Hong Kong. If yes, describe in detail the nature of any such restriction on user activity.

**ANSWER:**

## REQUESTS FOR PRODUCTION

**REQUEST NO. 1:** A copy of each iteration of TikTok’s Community Guidelines, from the inception of those Guidelines.

**ANSWER:**

**REQUEST NO. 2:** Any and all documents related to TikTok’s decision to self-select ratings of “12+” in the Apple App Store and “T” for “Teen” in the Google Play store and Microsoft Store.

**ANSWER:**

**REQUEST NO. 3:** Any and all documents supporting how TikTok “has taken industry-first steps to promote a safe and age-appropriate experience for teens.”<sup>34</sup>

**ANSWER:**

**REQUEST NO. 4:** Any and all documents describing or relating to how TikTok identifies and removes content that violates its Community Guidelines (or, if past methods are different than present methods, any and all documents describing or setting out how TikTok has identified and removed content at any time since TikTok’s inception).

**ANSWER:**

**REQUEST NO. 5:** Any and all documents describing or related to how TikTok identifies hashtags to restrict or eliminate (including by posting warnings or redirecting users).

**ANSWER:**

**REQUEST NO. 6:** Any and all documents related to TikTok’s decision to develop and the development of a new algorithm in July 2021.

**ANSWER:**

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<sup>34</sup> Rob Barry, et al., *How TikTok Serves Up Sex and Drug Videos to Minors*, WALL ST. J., (Sept. 8, 2021), available at <https://on.wsj.com/3oFpPHU>.

**REQUEST NO. 7:** Any and all documents describing the ability or inability of TikTok to restrict a user's access to content or other capabilities on TikTok based on the user's age.

**ANSWER:**

**REQUEST NO. 8:** Any and all documents describing the information TikTok collects (or has considered collecting) from users when they create a TikTok account, including any methods of age verification.

**ANSWER:**

**REQUEST NO. 9:** Any and all documents relating to any technology TikTok has considered or developed that would help verify the age of users.

**ANSWER:**

**REQUEST NO. 10:** Any and all documents related to the efficacy of TikTok's age verification.

**ANSWER:**

**REQUEST NO. 11:** Any and all documents about whether any technology covered by the previous question (Request No. 10) has been used or is currently in use on the TikTok platform.

**ANSWER:**

**REQUEST NO. 12:** Provide a copy of all advertisements marketing or promoting mental health self-diagnosis that TikTok has displayed to users, including a copy of all advertisements run by the advertisers Cerebral and Done.

**ANSWER:**

**REQUEST NO. 13:** Any and all documents related to research TikTok has conducted, commissioned, or is aware of regarding any correlation between the use of TikTok by children under age 18 and suicidal ideation and/or suicide.

**ANSWER:**

**REQUEST NO. 14:** Any and all documents related to research TikTok has conducted, commissioned, or is aware of regarding any correlation between the use of TikTok by children under age 18 and pornography addiction.

**ANSWER:**

**REQUEST NO. 15:** Any and all documents related to research TikTok has conducted, commissioned, or is aware of regarding any correlation between the use of TikTok by children under age 18 and eating disorders.

**ANSWER:**

**REQUEST NO. 16:** Any and all documents related to research TikTok has conducted, commissioned, or is aware of regarding any correlation between the use of TikTok by children under age 18 and depression or mental health strain.

**ANSWER:**

**REQUEST NO. 17:** Any and all documents related to information TikTok collects from users or has considered collecting from users, including metadata or data about what users type and choose not to send or post.

**ANSWER:**

**REQUEST NO. 18:** Any documents about whether and, if so, to what extent, TikTok collects data from or conducts research on child users under age 18.

**ANSWER:**

**REQUEST NO. 19:** Any documents about whether and, if so, how, TikTok seeks parental consent before collecting data or conducting research on children under age 18.

**ANSWER:**

**REQUEST NO. 20:** Any and all documents about TikTok's intention or decision or goal to attract child users under age 18 to TikTok.

**ANSWER:**

**REQUEST NO. 21:** Any and all documents that describe any testing that TikTok has conducted about what does or does not (or how to) drive user engagement on TikTok, including for users under age 18.

**ANSWER:**

**REQUEST NO. 22:** Any documents about any employee directives, including any compensation awards, that are linked to increasing the number of young people under age 18 who use the TikTok platform.

**ANSWER:**

**REQUEST NO. 23:** Any and all documents about any employee directives, including any compensation awards, that are linked to growing or maximizing the amount of engagement between young users (under age 18) and the TikTok platform.

**ANSWER:**

**REQUEST NO. 24:** Any and all documents related to TikTok's knowledge of parental involvement in, knowledge of, and/or control of young users' (under age 18 age) use of the TikTok platform.

**ANSWER:**

**REQUEST NO. 25:** Any and all documents that describe, estimate, or otherwise relate to TikTok's knowledge of the number of secondary TikTok accounts held by child users (under age 18).

**ANSWER:**

**REQUEST NO. 26:** Any and all documents that describe, estimate, or otherwise relate to TikTok's knowledge of the number of secondary TikTok accounts held by child users (under age 18) in Montana.

**ANSWER:**

**REQUEST NO. 27:** Any and all documents about or related to the ability of advertisers to target child users (under age 18).

**ANSWER:**

**REQUEST NO. 28:** Any and all documents related to TikTok’s ability to target advertisements to child users (under age 18), whether or not at the direction of the advertiser.

**ANSWER:**

**REQUEST NO. 29:** Any and all documents TikTok possesses about users, especially child users, using the TikTok platform in a way that could be described as “addictive,” including through “rabbit-holing.”

**ANSWER:**

**REQUEST NO. 30:** Any and all documents related to TikTok’s knowledge, statistical or otherwise, that TikTok exacerbates mental health problems in already-vulnerable populations, including but not limited to individuals already suffering from depression, eating disorders, or suicidal ideation.

**ANSWER:**

**REQUEST NO. 31:** Any and all documents related to TikTok’s knowledge, statistical or otherwise, or research known to TikTok that suggests that TikTok produces an addictive or addiction-like response in some or all users, including but not limited to the effects of TikTok’s platform on users’ attention span or dopamine responses.

**ANSWER:**

**REQUEST NO. 32:** Any and all documents related to TikTok’s knowledge, statistical or otherwise, or research possessed by or known to TikTok that relates to the relationship between video length and user engagement, including but not limited to the length of video that maximizes user engagement on the TikTok platform.

**ANSWER:**

**REQUEST NO. 33:** Any and all documents related to TikTok's knowledge of the way some subsets of the wider population respond to TikTok usage, including but not limited to statistical subsets of the wider population of TikTok users whose use correlates to greater experience of mental health problems even if statistics about the wider population of TikTok users would not suggest such a correlation.

**ANSWER:**

**REQUEST NO. 34:** Any and all documents related to how the TikTok algorithm chooses what content to promote in a user's For You Feed.

**ANSWER:**

**REQUEST NO. 35:** Any and all documents related to how the TikTok algorithm chooses what content to promote in a user's For You Feed differently for adult users as compared to users under age 18, if the TikTok algorithm does promote content differently between these two groups.

**ANSWER:**

**REQUEST NO. 36:** Any and all documents related to how the TikTok algorithm chooses what search results to suggest or autopopulate as part of the TikTok platform's Autocomplete feature.

**ANSWER:**

**REQUEST NO. 37:** Any and all documents related to how the TikTok algorithm chooses what search results to suggest or autopopulate as part of the TikTok platform's Autocomplete feature differently for adult users as compared to users under age 18, if the TikTok algorithm does suggest results differently between these two groups.

**ANSWER:**

**REQUEST NO. 38:** Any and all documents related to how any employee of TikTok may manually intervene or manually alter any search results or the promotion of any content (advertising or otherwise) in any aspect of a user’s experience with the TikTok platform.

**ANSWER:**

**REQUEST NO. 39:** Any and all documents related to the priorities for which TikTok designs its algorithm, including, if applicable, user engagement.

**ANSWER:**

**REQUEST NO. 40:** Any and all documents related to whether all accounts are subject to the same Community Guidelines and content moderation, and if not, which accounts are not and how those accounts are selected for special treatment.

**ANSWER:**

**REQUEST NO. 41:** Any and all documents relating to TikTok’s relationship with third-party fact checkers with whom TikTok contracts for fact-checking services on the TikTok platform, if any.

**ANSWER:**

**REQUEST NO. 42:** Any and all documents relating to how TikTok collects, uses, or relies on geographic information collected from users.

**ANSWER:**

**REQUEST NO. 43:** Any and all documents relating to how advertisers purchase space or views on TikTok.

**ANSWER:**

**REQUEST NO. 44:** Any and all documents related to designing and making available on TikTok now, or at any time in the past, filters that might reasonably be considered “beauty” filters meant to enhance a person’s features.

**ANSWER:**

**REQUEST NO. 45:** Any and all documents related to any effort or directive at any time to suppress content from users considered too ugly, unattractive, poor, or disabled for the TikTok platform.

**ANSWER:**

**REQUEST NO. 46:** Any and all documents related to the practice of TikTok entities incorporated in the United States sharing user data or other data about platform usage with entities in the TikTok Inc. corporate family that are incorporated or located outside of the United States, including in China.

**ANSWER:**

**REQUEST NO. 47:** Any and all documents related to any content moderation decisions TikTok has made that have imposed restrictions on the hashtags #thinspiration, #thinspo, #proanorexia, #ana, #thinspoooo, #proana, #bulimia, #anaismyfriend, #ednos, #bodycheck, and #bodychecking.

**ANSWER:**

**REQUEST NO. 48:** Any and all documents related to any content moderation decisions TikTok has made that have imposed restrictions on the hashtags #selfharm, #self-harm, #selfharn, #self-harn, #selfharmmm, #selfinjury, #selfinjuryy, #selfinjuryyy, #suicide, #depression, #MySecretFamily, #MySecretFamily, #blithe, and #ehtilb.

**ANSWER:**

**REQUEST NO. 49:** Any and all documents related to any content moderation decisions TikTok has made that have imposed restrictions on the hashtags #skullbreakers, #skullbreakerchallenge, #deviouslicks, #deviouslickschallenge, #dryscooping, #dryscoopingchallenge, #benadryl, #bendarylchallenge, #blackout, #blackoutchallenge, #chachaslide, #chachaslidechallenge, #lugnut, and #lugnutchallenge, and for any variations of these hashtags.

**ANSWER:**

**REQUEST NO. 50:** Any and all communications between TikTok and Beijing ByteDance Technology, the domestic subsidiary of ByteDance Ltd.

**ANSWER:**

**REQUEST NO. 51:** Any and all communications involving both TikTok and an official or employee of the Chinese government, including communications relayed through ByteDance Ltd. or any other person or entity.

**ANSWER:**

**REQUEST NO. 52:** Any and all documents that relate to TikTok's response, if any, to border cartels or other human smugglers using TikTok to recruit teens or other users to drive or otherwise transport migrants into the United States.

**ANSWER:**

**REQUEST NO. 53:** Any and all documents that refer or relate in any way to the Wall Street Journal's coverage of TikTok in July or September 2021, and any and all documents that refer or relate in any way to coverage by other news outlets concerning the Wall Street Journal's reporting on TikTok from in July or September 2021.

**ANSWER:**

**REQUEST NO. 54:** Any and all documents provided to any state or state investigative body or federal agency or Congress in relation to any investigation of unfair or deceptive trade practices as defined by any state or federal laws.

**ANSWER:**

**REQUEST NO. 55:** Any and all documents related to the origination and development of TikTok's updated Community Guidelines, set to take effect March 7, 2022.

**ANSWER:**

## APPENDIX I. ELECTRONIC DOCUMENT PRODUCTION SPECIFICATIONS

Unless otherwise agreed to by the Montana Attorney General's Office, all responsive documents must be produced in accordance with the following instructions.

1. Concordance Production Components:
  - A. **Metadata Load File.** A delimited text file that lists the required metadata for each produced document.
  - B. **Extracted or OCR Text Files.** Document-level extracted text for each produced document or document-level optical character recognition ("OCR") text where extracted text is not available.
  - C. **Single-Page Image Files.** Individual images of the produced documents in tagged image file format ("TIF"), with page-level Bates number endorsements.
  - D. **Opticon Load File.** A comma delimited text file that lists the single-page TIF files for each produced document and defines (i) the relative location of the TIF files on the production media and (ii) each document break.
  - E. **Native Files.** Native format versions of non-printable or non-print friendly produced documents.
2. Production Folder Structure. The production must be organized according to the following standard folder structure with a limit of 1000 files per subfolder:
  - data\ (contains production load files)
  - images\ (contains single-page TIF files, with subfolder organization) \0001, \0002, \0003...
  - native files\ (contains native files, with subfolder organization) \0001, \0002, \0003...
  - text\ (contains text files, with subfolder organization) \0001, \0002, \0003...
3. De-Duplication. You may perform global de-duplication of stand-alone documents and email families against any prior productions pursuant to this or previously related Investigative Demands.
4. Paper or Scanned Documents. Documents that exist only in paper format must be scanned to single-page TIF files and OCRed. The resulting electronic files should be produced in Concordance format pursuant to these instructions. You must contact the Assistant Attorney General whose

telephone number appears on the Investigative Demand to discuss (i) any documents that cannot be scanned, and (ii) how information for scanned documents should be represented in the metadata load file.

5. **Structured Data.** Before producing structured data, including but not limited to relational databases, transactional data, and xml pages, you must first speak to the Assistant Attorney General whose telephone number appears on this Investigative Demand. Spreadsheets are not considered structured data.
6. **Media and Encryption.** All documents must be delivered on encrypted media. Encrypted flash drives or encrypted external hard drives are the preferred deliverable media.
7. **Production File Requirements.**

#### ***A. Metadata Load File***

- Required file format:
  - ASCII or UTF-8
  - Windows formatted CR + LF end of line characters, including full CR+ LF on last record in file.
  - .dat file extension
  - Field delimiter: (ASCII decimal character 20)
  - Text Qualifier: þ (ASCII decimal character 254). Date and pure numeric value fields do not require qualifiers.
  - Multiple value field delimiter: (ASCII decimal character 59)
- The first line of the metadata load file must list all included fields. All required fields are listed in Attachment 2.
- Fields with no values must be represented by empty columns maintaining delimiters and qualifiers.
- All documents must have page-level Bates numbering (except documents produced only in native format, which must be assigned a document-level Bates number). The metadata load file must list the beginning and ending Bates numbers (BEGDOC and ENDDOC) for each document.
- For document families, including but not limited to emails and attachments, compound documents, the metadata load file must also list the Bates range of the entire document family in the BEG\_ATTACH and END\_ATTACH fields beginning with the first Bates number (BEGDOC) of the “parent” document and ending with the last Bates number (ENDDOC) assigned to the last “child” in the document family.
- Date and Time metadata must be provided in separate fields.
- Accepted date formats:

- mm/dd/yyyy
- yyyy/mm/dd
- yyyymmdd
- Accepted time formats:
  - hh:mm:ss (if not in 24-hour format, you must indicate am/pm)
  - hh:mm:ss:mmm

***B. Extracted or OCR Text Files***

- You must produce individual document-level text files containing the full extracted text for each produced document.
- When extracted text is not available you must provide individual document-level text files containing the document’s full OCR text.
- The filename for each text file must match the document’s beginning Bates number (BEGDOC) listed in the metadata load file.

***C. Single-Page Image Files***

- Where possible, all produced documents must be converted into single-page tagged image format (“TIF”) files. See Section E below for instructions on producing native versions of documents you are unable to convert.
- Each single-page TIF file must be endorsed with a unique Bates number.
- The filename for each single-page TIF file must match the unique page-level Bates number (or document-level Bates number for documents produced only in native format).
- Required image file format:
  - CCITT Group 4 compression
  - 2-Bit black and white
  - 300 dpi
  - Either .tif or .jpg (for color images) extensions
- Where possible documents should not span multiple subfolders.

***D. Opticon Load File***

- Required file format:
  - ASCII
  - Windows formatted CR + LF end of line characters
  - Field delimiter: , (ASCII decimal character 44)
  - No Text Qualifier
  - .opt or .log file extension
- The comma-delimited Opticon load file must contain the following seven fields (as indicated below, values for certain fields may be left blank):

- ALIAS or IMAGEKEY: the unique Bates number assigned to each page of the production.
  - VOLUME: this value is optional and may be left blank.
  - RELATIVE PATH: the filepath to each single-page image file on the production media.
  - DOCUMENT BREAK: defines the first page of a document. The only possible values for this field are “Y” or blank.
  - FOLDER BREAK: defines the first page of a folder. The only possible values for this field are “Y” or blank.
  - BOX BREAK: defines the first page of a box. The only possible values for this field are “Y” or blank.
  - PAGE COUNT: this value is optional and may be left blank.
- Opticon Load File Example:  
ABC00001,,IMAGES\0001\ABC00001.tif,Y,,2  
ABC00002,,IMAGES\0001\ABC00002.tif,,,  
ABC00003,,IMAGES\0002\ABC00003.tif,Y,,1  
ABC00004,,IMAGES\0002\ABC00004.tif,Y,,1

#### ***E. Native Files***

- Non-printable or non-print friendly documents (including but not limited to spreadsheets, audio files, video files and documents for which color has significance to document fidelity) must be produced in their native format.
- The filename of each native file must match the document’s beginning Bates number (BEGDOC) in the metadata load file and retain the original file extension.
- For documents produced only in native format, you must assign a single document-level Bates number and provide an image file placeholder that states “Document produced only in native format.”
- The relative paths to all native files on the production media must be listed in the FILEPATH field of the metadata load file.
- You may be required to supply a software license for proprietary documents produced only in native format.

## Appendix II. Required Fields for Metadata Load File

Field Name	Description	Example
BEGDOC	Beginning document number	DOCID-0000021
ENDDOC	Ending document number	DOCID-0000021
BEGATT	Beginning Bates number of family group	DOCID-0000001
ENDATT	Ending Bates number of family group	DOCID-0000044
PARENT_ATT	Parent or attachment flag	A
EXCEPTION	Flag to denote an error occurred during processing	Y
FILENAME	Name of the file	filename.docx
ORIGINAL_LOC	Original file location	\\server\folder\...\filename
FILE_EXT	Extension of file	DOCX
DOC_DESC	Description of file type	MS Office Word 2010
DOCTYPE	Type of document processed	eAttach
FILESIZE	Storage size of file	95 KB
ATTACH_COUNT	Number of documents attached	0
PAGE_COUNT	Number of pages in document	19
AUTHOR	Author field as listed in Microsoft Office Properties	User name
TITLE	Title field as listed in Microsoft Office Properties	Doc title
SUBJECT	(MS) Subject or email subject line	FW: Recent Title 15 Actions

<b>Field Name</b>	<b>Description</b>	<b>Example</b>
FROM	Email sender	Doe, John <John.Doe@mydo- main.com>
TO	Email recipients	Doe, John <John.Doe@mydo- main.com>
CC	Carbon copy recipients	Doe, John <John.Doe@mydo- main.com>
BCC	Blind carbon copy recipients	Doe, John <John.Doe@mydo- main.com>
DATE_SENT	Date email was sent	11/09/2015
TIME_SENT	Time email was sent	03:46:01 PM
DATE_RCVD	Date email was received	11/09/2015
TIME_RCVD	Time email was received	03:46:01 PM
DATE_CREATED	Date file was created	11/09/2015
TIME_CREATED	Time file was created	03:46:01 PM
DATELASTMOD	Date file was last modified	11/09/2015
TIMELASTMOD	Time file was last modified	03:46:01 PM
CONV_TOPIC	Email conversation topic	Title 15 Report
CONV_INDEX	Index of email conversation string	01D11B4084D62935991 0ABD34543A33E81C114 243C2C
MD5_HASH	MD5 file signature	EB6A55A6F8EE7DDD9 52921AE0D382B8B
FILEPATH	Relative location of native file on delivery media	\folder\...\filename
CUST	Custodian name	Doe, John